

135C.41 Licensee's response to citation.

Within twenty business days after service of a citation under [section 135C.40](#), a facility shall do one of the following:

1. If the facility does not desire to contest the citation, take one of the following actions:
 - a. Remit to the department the amount specified by the department pursuant to [section 135C.36](#) as a penalty for each class I violation cited, and for each class II violation unless the citation specifically waives the penalty, which funds shall be paid by the department into the state treasury and credited to the general fund.
 - b. In the case of a class II violation for which the penalty has been waived in accordance with the standards prescribed in [section 135C.36, subsection 2](#), or a class III violation, send to the department a written response acknowledging that the citation has been received and stating that the violation will be corrected within the specific period of time allowed by the citation.
2. If the facility desires to contest the citation, notify the director that the facility desires to contest the citation and request an informal conference with an independent reviewer pursuant to [section 135C.42](#).

[C77, 79, 81, §135C.41]

[2009 Acts, ch 156, §7](#); [2010 Acts, ch 1069, §16](#); [2013 Acts, ch 26, §1, 7](#); [2014 Acts, ch 1092, §31](#)

2013 amendment to subsection 2 takes effect July 1, 2013, and applies to informal conferences requested under chapter 135C on or after January 1, 2014; 2013 Acts, ch 26, §7

Section amended